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[11839/15]

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Inventor(s) : Martin BUDAKER et al.
Serial No. : 10/056,750
Filed : January 25, 2002
For : ADJUSTABLE STEERING COLUMN
Examiner : George Spisich
Art Unit : 3616
Confirmation No. : 9922

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450 on:

Date: June 24, 2004 Reg. No. 22,490

Signature: Richard L. Mayer

Commissioner for Patents
P.O. Box 1450
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STATEMENT OF SUBSTANCE OF INTERVIEW

S I R:

In response to the Interview Summary mailed on May 24, 2004 and the Interview Summary mailed on June 17, 2004, Applicants submit herewith a statement of the substance of the telephone interviews conducted on May 11, 2004 and June 3, 2004 between Examiner George Spisich and Applicants' representative, Clifford A. Ulrich (Reg. No. 42,194).

Claims 1 to 3, 5 and 6 were discussed during the course of the telephone interviews.

No prior art was discussed during the course of the telephone interviews.

No proposed amendments of a substantive nature were discussed during the course of the telephone interviews.

A brief identification of the general thrust of the principle arguments presented to the Examiner during the course of the interviews is set forth below. The Examiner asserted that the limitation of "a torsion spring" was considered to be unsupported by the application. Applicants' representative indicated that the Specification as filed included disclosure of a pressure element as "a torsion spring" at, for example, page 2, lines 22 to 23, original claim 1, line 14, and the Abstract at line 10. Claim 1 as originally filed recited that "the pressure element includes a torsion spring." As regards this recitation, claim 1 as presented in the Amendment

filed on February 19, 2004 remained unchanged. Thus, it was argued during the course of the interviews that the recitation in claim 1 that “the pressure element includes a torsion spring,” which appeared in claim 1 as originally filed, does not constitute new matter and is supported by an adequate written description.

While the Examiner considers the Figures to illustrate a leaf spring, this does not detract from the fact that the Specification as filed fully describes that a pressure element may be a torsion spring or that claim 1 as originally filed recited that “the pressure element includes a torsion spring.” Furthermore, the Abstract plainly states at lines 10 to 15 that:

the pressure element is a torsion spring which, with mutually opposite ends in an expanded state, pushes the medial coupling parts away from each other and in the direction of the appertaining outer coupling parts, while in a compressed state, the distance between the ends is shortened by bending.

Claim 1, as originally filed and as presented in the Amendment filed on February 19, 2004 recites that:

the pressure element includes a torsion spring configured, with mutually opposite ends in an expanded state, to push the medial coupling parts away from each other and in the direction of the outer coupling parts and, while in a compressed state, the distance between the ends is configured to be shortened by bending.

In view of the foregoing, it is believed and respectfully submitted that the recitation in claim 1 that “the pressure element includes a torsion spring” does not constitute new matter and is fully supported by an adequate written description, since such recitation was included in claim 1 as originally filed and closely corresponds to the above-reproduced language included in the Abstract as originally filed.


An agreement was not reached during the telephone interviews.

Respectfully submitted,

KENYON & KENYON

Dated: June 24, 2004

By:


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